

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RAYMOND MITCHELL,
Petitioner,

v.

JOHN KERESTES, et al.,
Respondents.

CIVIL ACTION

No. 13-3418

FILED

AUG 27 2013

MICHAEL J. KONE, Clerk
By Deputy Clerk

ORDER

AND NOW, this day of August, 2013, upon careful consideration of the petition for writ of habeas corpus, the Report and Recommendation of United States Magistrate Judge Jacob P. Hart (Doc. No. 6), and after a thorough and independent review of the record, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**.
2. The Petition for Writ of Habeas Corpus is **STAYED** and held in **ABEYANCE** until the conclusion Petitioner's state court proceedings.
3. Mitchell shall return to federal court within thirty (30) days of the conclusion of his state court proceedings. If he fails to do so, this Order will be vacated and his Petition dismissed without prejudice.
4. There is no probable cause to issue a certificate of appealability.

BY THE COURT:


MITCHELL S. GOLDBERG, J.